

BILL NO. 89-69

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 89-69

Introduced by Council President Hardwicke
at the request of the County Executive

Legislative Day No. 89-34 Date November 14, 1989

AN ACT to make an appropriation of funds to satisfy obligations arising from the agreement by and between Merry Go Round Enterprises, Inc. and Harford County, Maryland dated July 7, 1987; to provide assistance in obtaining an adequate work force from the local population and to assure that the public water system provides sufficient static and residual pressure to operate an appropriate fire protection sprinkler system for the protection of persons and property.

By the Council, November 14, 1989

Introduced, read first time, ordered posted and public hearing scheduled
on: December 12, 1989
at: 7:15 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on December 12, 1989, and concluded on, December 12, 1989

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 WHEREAS, the County Executive has recommended an
2 appropriation of unanticipated revenues to the County Budget for the
3 fiscal year ending June 30, 1990; and

4 WHEREAS, the funds are from real property taxes and
5 retained earnings accounts; and

6 WHEREAS, the funds shall be used to fund costs of Merry Go
7 Round Enterprises related to the training of an adequate work force
8 as set out in paragraph 4 and the providing of a public water system
9 to provide sufficient static and residual pressures to operate a fire
10 protection sprinkler system as set out in paragraph 9 of the
11 agreement by and between Merry Go Round Enterprises, Inc. and Harford
12 County, Maryland dated July 7, 1987, a copy of which is attached
13 hereto, and;

14 WHEREAS, Harford County, Maryland, through the Susquehanna
15 Region Private Industry Council, has provided training in the amount
16 of Two Thousand Nine Hundred Sixty One Dollars and Twenty Nine Cents
17 (\$2,961.29); and

18 WHEREAS, Harford County, Maryland estimates that the cost
19 to provide a booster pump facility for the public water main
20 consistent with the requirement to provide sufficient static and
21 residual pressure to operate a fire protection system is Fifty
22 Thousand Dollars (\$50,000.00); and

23 WHEREAS, the appropriation of funds is in accordance with
24 the provisions of Section 518 of the Charter of Harford County,
25 Maryland.

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1 NOW, THEREFORE,
 2 Section 1. Be It Enacted By The County Council of Harford
 3 County, Maryland, that the current expense budget for the fiscal
 4 year ending June 30, 1990, be, and it is hereby amended by making an
 5 appropriation and expenditure from monies received from real property
 6 taxes and retained earnings accounts in the below-listed amounts for
 7 the purpose detailed:

8 Allocation of Appropriations

9 Sources of Funds:

10 Real Property Taxes, Current Year
 11 Account No. R-11-01-1201.....\$47,038.71
 12 Appropriated Retain Earnings
 13 Account No. R-76-98-1111.....\$50,000.00
 14 Total Sources.....\$97,038.71

15 Uses of Funds:

16 Educational Training
 17 Account No. 0-11-05-20-77-997.....\$47,038.71
 18 Water Pressure
 19 Account No. 0-76-70-50-77-997.....\$50,000.00
 20 Total Uses.....\$97,038.71

21 Section 2. And Be It Further Enacted that this Act shall take
 22 effect on the date it becomes law.

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25 EFFECTIVE: December 14, 1989

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The Secretary of the Council does hereby
 certify that fifteen (15) copies of this Bill
 are immediately available for distribution to
 the public and the press.

Doris Poulsen, Secretary

AGREEMENT

WHEREAS, Merry-Go-Round Enterprises, Inc. (hereinafter called "Merry-Go-Round") proposes to relocate its corporate headquarters and national distribution facility to Harford County, Maryland; and

WHEREAS, Harford County, Maryland (hereinafter called "County") realizes the advantages and benefits to its citizens of said relocation within its jurisdiction; and

WHEREAS, in order for the relocation and expansion to occur in a timely manner, Merry-Go-Round needs assurances from the County in certain areas.

NOW, THEREFORE, in consideration of the relocation, development and expansion of Winters Run Industrial Park, it is hereby agreed by and between Merry-Go-Round and the County as follows:

1. The terms "Project," "Future Expansion" and "Property" used in this Agreement are defined in a letter dated June 30, 1987 from Merry-Go-Round to Habern Freeman, County Executive of Harford County.

2. The Project is not subject to Development Advisory Committee or Planning Advisory Board review as ^{all} approvals necessary have been obtained.

3. All County real estate taxes imposed on the Property will be abated by Harford County for a period of five (5) years commencing with the date of completion of the Project, providing the County Council enacts legislation required for said abatement which the County Executive has prepared and will introduce on *July 21*, 1987, a copy of which is attached hereto.

4. The County will assist Merry-Go-Round in obtaining and training an adequate work force in Harford County, by a commitment of up to \$50,000 in kind or in cash to Merry-Go-Round's training program for its employees, including but not limited to the services of J. Emerson Craig as a consultant.

5. The County will provide adequate traffic control at the intersection of Winters Run Road and Maryland Route 7 without cost to Merry-Go-Round, either by use of Deputies from the Harford County Sheriff's Department or installation of a traffic control device. (See attached letter from the Sheriff of Harford County dated June 26, 1987).

6. The County will acquire (or cause the Developer to acquire) all necessary easements and rights-of-way for the improvement of Winters Run Road and for the provision of water, sewer, storm water management and other utilities to the Property, to include diligent prosecution of any condemnation

proceedings, if necessary. (See attached copy of a Resolution for said condemnation.)

7. The Property is now zoned GI under the Harford County Zoning Code and as such the Property may be used for warehousing, wholesaling, processing and distribution and incidental uses thereto, such as general office space and retailing. The amount of office space and retail space permitted in the Project and Future Expansion is described in the attached letter from the Department of Planning and Zoning dated July 2, 1987. The County does not anticipate a change in said zoning unless initiated by the property owner.

8. The County will, upon request by Merry-Go-Round, initiate a road name change for Winters Run Road reflecting the desire of Merry-Go-Round.

9. The Harford County water and sewer system which services the subject property will, consistent with Harford County Resolution No. 21-86, retain appropriate percentages of reserve capacity to accommodate industrial growth which should satisfy the proposed future expansion (a copy of which is attached hereto.) The public water system will provide sufficient static and residual pressure to operate a fire protection sprinkler system for the proposed Project and the Future Expansion meeting all applicable codes without the use of any on-site pumps, water towers or similar devices. In addition, Merry-Go-Round may elect to guarantee the water and

sewer capacities required for the Future Expansion by paying the necessary charges and fees for the Future Expansion at the same time it pays such charges and fees for the Project. Merry-Go-Round may be required to pay any and all customary water and sewer area connection charges, surcharges or other related fees in effect at the time of connection and in accordance with Harford County laws.

10. All required building permits for the Project will be issued to Merry-Go-Round within fourteen (14) days after Merry-Go-Round submits its building plans to Harford County. The County acknowledges that the status of Winters Run Road, the storm water management pond and the other improvements to be constructed by the Developer are sufficiently advanced so that none of these will impede the issuance of a building permit. Accordingly, the only precondition to the issuance of the building permit will be compliance of the Project's plans and specifications with the Harford County building code, and it is further understood that Merry-Go-Round will coordinate the development of its building plans, including consultation with its Designer/Prime Contractor, Master Electrician and Plumber with the Department of Inspections, Licenses and Permits, prior to the submittal of plans for permit. Further, Merry-Go-Round will not be required to pay any fees, charges, assessments or other costs (other than the standard building permit fee) or enter into any public works agreements or post any bonds in

connection with any off-site work. On-site work will require appropriate grading permit, sediment and erosion control plan, storm water requirements which are understood to be the Developer's responsibility.

11. This Agreement shall not be assigned by Merry-Go-Round without the written consent of the County, except to a wholly owned subsidiary or other entity (e.g. Partnership) owned by Merry-Go-Round.

WITNESS our hands and seals this 7th day of July, 1987.

ATTEST:

HARFORD COUNTY, MARYLAND

Shirley A. Ross

By: [Signature]

Habern Freeman
County Executive

MERRY-GO-ROUND ENTERPRISES, INC.

Lo E Doran

By: [Signature]

Isaac Kaufman
Senior Vice President

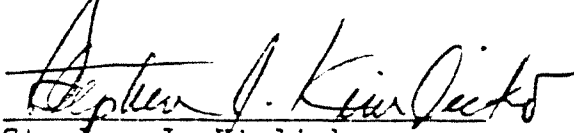
Concurrence:

James M. Jewell
James M. Jewell
Treasurer

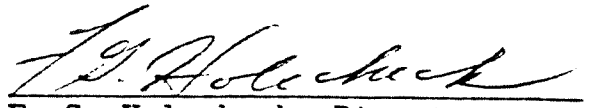
[Signature]
William G. Carroll, Director
Department of Planning and
Zoning

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Concurrence:



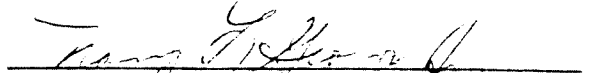
Stephen J. Kimlicko
Director, Department of
Inspections, Licenses and
Permits



F. G. Holecheck, Director
Department of Procurement



Thomas F. Smith, Director
Department of Public Works



Max D. Miller, Jr.
County Attorney

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BY THE COUNCIL

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Read the third time.

Passed LSD 89-37 (December 12, 1989)

Failed of Passage

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 13th day of December, 1989
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

APPROVED:

BY THE EXECUTIVE


County Executive

Date 12-14-89



BY THE COUNCIL

This Bill, (No. 89-69), having been approved by the Executive
and returned to the Council, becomes law on December 14, 1989.

Doris Poulsen, Secretary

EFFECTIVE DATE: December 14, 1989

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